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LB 377

free. Now I think that is not the appropriate mechanism. If the constable errs the appropriate thing to do is to sanction the constable, not to let the guilty party go free. I think if Senator Chambers wants the constable, the State Patrol Officer in this case, to be punished for failure to give the right notice that he is required to give, there are better methods of doing that, for instance, make him subject to administrative sanctions, but don't throw the case out against the charged person involved because when you do that you are affecting the public interest at whole by letting people get off easy when they are charged with a very serious offense or may be charged with the very serious offense of drunk driving. So I would urge the adoption of the committee amendment. Thank you, Mr. Speaker.

SPEAKER NICHOL: Senator Higgins.

SENATOR HIGGINS: Thank you, Mr. Chairman. Is Senator Chambers the sponsor of this bill? Would Senator Chambers please yield to a question. I started to ask you this before got called (inaudible) the floor, Senator Chambers, if I was to be arrested for murder, for robbery, any serious crime, the policeman reads me something that says you have the right to remain silent, you have the right to do blah, blah, blah, that is the Miranda rights they call them.

SENATOR CHAMBERS: Yes.

SENATOR HIGGINS: So someone that you suspect of murder or rape, armed robbery, kidnapping, they have their rights read to them.

SENATOR CHAMBERS: Yes, and the failure to read them those rights would prevent anything derived from that person from being used in evidence because it was not obtained in accordance with the law.

SENATOR HIGGINS: Then what does the committee amendments to this bill do, does it say you don't have to read somebody that you suspect of DWI their rights?

SENATOR CHAMBERS: In effect that is what it says although